

Application No. 10/022,283
Amdt. dated January 30, 2006
Reply to Office Action of September 30, 2005

AMENDMENTS TO THE DRAWINGS:

Please replace the original drawings with the formal drawings provided in the attached "Submission of Formal Drawings." It is noted that these formal drawings eliminate the objections to FIG. 4 made by the Examiner.

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REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Claims 1-30 remain pending.

Applicant notes that formal drawings are being submitted with this Amendment, which are believed to eliminate the minor objections to the drawings made by the Examiner.

As indicated above, the original Abstract is being replaced with a version of the Abstract that does not include a paragraph number to eliminate the Examiner's objection.

Claims 1-30 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, the Examiner contends that claims 1, 11, and 21 are allegedly incomplete for omitting a step of initially selecting a routing path, and therefore rejects dependent claims 2-10, 12-20 and 22-30 as well. This rejection is respectfully traversed. Specifically, Applicant respectfully submits that the term "selected routing path" is being used in the independent claims to distinguish the routing path that is selected by the selecting step in claim 1, the selecting operation in claim 11, and the selecting operation in claim 21 (i.e., "a selected routing path") from the other routing paths recited in the independent claims that are not selected, to thus provide strict antecedent basis for the term "selected routing path" in the dependent claims. It is believed that the introduction of this term in the independent claims is more concise and preferable to the use of the phrase "the routing path that was selected by the selecting step", for example, in dependent claims 3, 5 and 6, or a similar phrase in the corresponding claims that depend from independent claims 11 and 21. If the Examiner

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would prefer the use of another term, such as “first routing path”, the Examiner is invited to contact the undersigned to discuss an Examiner’s amendment or further amendment by the Applicant.

Claims 1-30 are also rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,754,188 to Garahi, et al. This rejection is respectfully traversed. Specifically, as discussed in more detail below, Applicant respectfully submits that the Garahi patent fails to explicitly teach the operation of updating the routing strategy data in the data packet that was received and from which the routing strategy data was extracted. Column 5, lines 59-62 of the Garahi patent teach that updated routing information can be provided to neighboring node, but this passage does not state exclusively that the information is updated in the data packet that is being routed. Rather, this passage suggests that other data packets or messages are sent to the neighboring nodes.

The details of the claimed embodiments of the present invention and the cited reference will now be discussed.

As described throughout the present application, the present invention provides a system, method and computer-readable medium of instructions for routing a data packet in a network comprising nodes using routing strategy data in a received data packet. In particular, independent claim 1 recites a method for routing a data packet in a network comprising nodes interconnected by links. The method comprises receiving the data packet at a receiving one of the nodes, and extracting routing strategy data from the received data packet. The routing strategy data includes information pertaining to at least one routing path via which to route the received data packet to a destination node, with each routing path including at least one other of the nodes. The method

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further comprises selecting a selected routing path via which to route the data packet based on the routing strategy data; and *updating the routing strategy data in the data packet*. Independent claims 11 and 21 include similar features recited in apparatus and computer-readable instruction format.

As discussed briefly above, the Garahi patent teaches a system and method for routing data packets based on packet content, such as data, voice or video. However, Applicant respectfully submits that this “content” does not necessarily reflect a “routing strategy”, such as the choice of a desired route. Rather, the routing decision or “strategy” is made by a node upon receipt of the packet, and the node is not instructed to route a packet in a certain manner.


Furthermore, as discussed briefly above, Applicant respectfully submits that although column 5, lines 59-62 of the Garahi patent teach that updated routing information can be provided to neighboring node, this passage does not state that “routing *strategy* data” is updated *in the data packet that is being routed*, that is, “said data packet” as recited in the independent claims of the present application. Rather, other data packets or messages are sent to the neighboring nodes in accordance with the teachings of the Garahi patent.

For all these reasons, Applicant submits that the teachings of the Garahi patent fail to anticipate the embodiments of the present invention even as recited in independent claims 1, 11 and 21. The Garahi patent also therefore fails to teach or suggest the further details of the routing strategy data and path selection as recited in the dependent claims. Hence, all claims should be allowable.

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In view of the above, it is believed that the subject application is in condition for allowance, and notice to this effect is respectfully requested. Should the Examiner have any questions, he is invited to contact the undersigned at the number indicated below.

Respectfully submitted,


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